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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/981,688	10/17/2001	Erkki Tanskanen	017.38084X00	6692

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EXAMINER

BAUTISTA, XIOMARA L

ART UNIT	PAPER NUMBER
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2173

DATE MAILED: 04/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/981,688

Applicant(s)

ERKKI TANSKANEN ET AL

Examiner

X L Bautista

Art Unit

2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10/17/01, 10/17/01, & 1/16/02.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4, 6 and 9-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 6 and 9-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 October 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 5.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 4 and 9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

3. Claim 4 recites the limitation "wherein the visual elements" in line 1. There is insufficient antecedent basis for this limitation in the claim.

4. Claim 9 recites the limitation "wherein said another source" in line 1. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors

Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

6. Claims 1, 4, 6, and 9-23 are rejected under 35 U.S.C. 102(e) as being anticipated by *Gerace* (US 5,848,396).

Claims 1, 14 and 19:

Gerace discloses an interactive services display and response user interface having a plurality of computers (end users) connected to a plurality of networks (sources). The computers connected to receive and respond to signals based on interactive content over a communication channel (figure 1; abstract; col. 3, lines 39-67). An interactive provider server connected to receive responses and respond to the computers (col. 3, lines 39-67). An interface page for providing information pertinent to the interactive content (fig. 3a; col. 4, lines 1-11; col. 5, lines 54-62; col. 7, lines 4-22). The page is configured to display pertinent information according to preferences (col. 5, lines 15-25; col. 6, lines 22-39). Transmission and reception capabilities of the computers and preferences are stored by server 27

(col. 3, lines 39-67; col. 4, lines 12-55).

Claim 4:

Gerace teaches the invention records presentation preferences including color (col. 2, lines 16-23). Gerace teaches that a screen view may be formatted according to user preferences (color, presentation of details (col. 5, lines 15-24; col. 6, lines 22-34).

Claims 6, 11 and 12:

Gerace teaches that a web site includes betting lines and results. Gerace teaches pertinent information related to teams upon which the client has made bets (col. 21, lines 53-67; col. 22, lines 1-9).

Claim 9:

Gerace teaches a web server on the Internet (col. 3, lines 39-67; col. 4, lines 1-65).

Claim 10:

Gerace teaches a plurality of sources (fig. 1; col. 3, lines 39-67).

Claim 13:

Gerace teaches answers to questions answered prior to providing personalized services (col. 4, lines 1-67; col. 5, lines 1-14).

Claims 15 and 20:

Gerace teaches that interactive content is retrieved and updated

automatically (col. 4, lines 29-35; col. 6, lines 23-27; col. 7, lines 46-67; col. 8, lines 1-32; col. 21, lines 61-67; col. 22, lines 1-9).

Claims 16, 17, 21 and 22:

Gerace teaches user information and interactive content organized at different levels (fig. 2; col. 4, lines 37-67; col. 5, lines 1-53).

Claims 18 and 23:

Gerace teaches interactive information that can be organized and shared among a plurality of users (abstract; col. 2, lines 3-53; col. 19, lines 66-67; col. 20, lines 1-5) and individual user information (profile) that is generated for respective users (col. 5, lines 63-67; col. 6, lines 1-21; col. 12, lines 22-41).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. **Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gerace and Jancke et al (US 5,764,913).**

Claim 2:

Gerace teaches that colors can be personalized but does not teach that pertinent information is displayed using traffic lights. However, Jancke discloses state icons in the form of traffic lights. The state icons are status indicators used for informing the user about the operational state of nodes connected to the network (abstract; figures 2-4; col. 2, lines 42-59; col. 3, lines 17-46). Therefore, it would have been obvious to one ordinarily skilled in the art at the time the invention was made to modify Gerace's interactive display to include traffic light icons to display pertinent information because these icons provide the user with information at-a-glance. The user receives feedback or additional information about a task or a bet just by displaying specific colors.

9. **Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over *Gerace* and *Goldberg et al* (US 6,712,702 B2).**

Claim 3:

Gerace teaches that a web site includes betting lines and results (col. 21, lines 53-67; col. 22, lines 1-9) but does not teach pertinent information including the time left in a betting window. However, Goldberg discloses a method for automating playing games (bets) that can be played by a large number of players (abstract; col. 1, lines 23-29; col. 2, lines 4-12). Goldberg teaches a player

information area 296 having two fields provided for displaying playing time information such as "elapsed playing time" and "remaining playing time" (col. 13, lines 53-67; col. 14, lines 1-5). Thus, it would have been obvious to a person having ordinary skill in the art at the time of invention to modify Gerace's interactive display to include a player information area having playing time information because as Goldberg says, this information is useful to the players when playing in a tournament because the player is able to determine how much time is left and the number of games remaining.


Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to X L Bautista whose telephone number is (703) 305-3921. The examiner can normally be reached on Monday-Thursday (8:00-18:00), Fridays Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W Cabeca can be reached on (703) 308-3116. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

12. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



X L Bautista
Patent Examiner
Art Unit 2173

xlb
April 16, 2004